UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, AS Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC. 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-1500

Trust Company, N.A.

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VIN K. HELLERSTEIN

SCHEDULE A

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

FOR THE POLLOWING PLAINTIFFS:			
Plaintiff Name	Index# All (AKH)		
Acosta, Byron	07CV1552		
	07CV4445		
Agudelo, Gladys	07CV4446		
Ali, Enrique	07CV01554		
Allivar, Raul	05CV9821		
Alvarez, Maria	05CV10135		
Alvarracin, Jose	07CV01556		
Asencio, Ivan	07CV,1460		
Atencia, Marcelo	07CV01562		
Bailon, Peter B.	07CV05336		
Barahona, Jose	07CV5550		
Betancourt, Hector	07CV4453		
Burgos, Leopoldo	07CV1473		
Caguana, Manuel	06CV11968		
Calero, Ivan	07CV1575		
Calle, Wilson	07CV01578		
Campoverde, Rey R.	07CV05280		
Campozano, Rodrigo	07CV4459		
Cardenas, Edison	07CV1580		
Castillo, Silvia	05CV1718		
Chuva, Nancy	07CV01589		
Cintron, Yolanda	06CV5631		
Cortez, Jorge E.	07CV05394		
Criollo, Nancy	07CV4462		
Dota, Clara	07CV01602		
Drake, Jesse	07CV05353		
Duarte, Inerva	07CV01603		
Dutan, Elvia and Wilfredo	07CV1606		
Encalada, Jorge	07CV1607		
Franco, Luis	07CV4466		
	Acosta, Byron Adriano, Luis Agudelo, Gladys Ali, Enrique Allivar, Raul Alvarez, Maria Alvarracin, Jose Asencio, Ivan Atencia, Marcelo Bailon, Peter B. Barahona, Jose Betancourt, Hector Burgos, Leopoldo Caguana, Manuel Calero, Ivan Calle, Wilson Campoverde, Rey R. Campozano, Rodrigo Cardenas, Edison Castillo, Silvia Chuva, Nancy Cintron, Yolanda Cortez, Jorge E. Criollo, Nancy Dota, Clara Drake, Jesse Duarte, Inerva Dutan, Elvia and Wilfredo		

31	Frelas, Janina	07CV01612
	Gallardo, Norberto	07CV05290
32	Garcia, Viviana	07CV1617
33	Gaspar, Peter	05CV10739
34		
35	Giamo, Samuel T.	06CV11676
36	Giraldo, Hitien E.	07CV5554
37	Gualpa, Rosa	07CV4472
38	Guzman, Armando	07CV5556
. 39	Hernando, Avenia	07CV4473
40	Hurtado, Julio	07CV05295
41	Idrovo, Edgar	07CV1627
42	Idrovo, Manuel	07CV01628
43	Inga, Jorge	07CV01629
44	Jablonski, Jozef	07CV01630
45	Jaramillo, Jonas	06CV14746
46	Karus, Marian	07CV01635
47	Lascano, Ana	05CV9333
48	Lasica, Andrezej	07CV4480
49	Lenis, Carlos	06CV10045
50	Leon, Cesar	07CV063
51	Leon, Ines	07CV4481
52	Loja, Wilmo	07CV4482
53	Lucero, Fernando	07CV05366
54	Medina, Rosa	07CV4491
55	Melendez, Maria	07CV05397
56	Mendez, Juan	07CV01664
57	Merchan, Carlos	07CV01665
58	Mora, Eugenio	06CV13168
59	Morales, Tatiana	07CV05370
60	Moreno, Sandra	07CV1670
61	Naranjo, Luis	07CV00082
62	Naranjo, Walter	07CV04496
63	Negrete, Oscar	07CV05371
64	O'Connell, Sean	07CV05374
65	Palaguachi, Rosa	07CV1680
66	Reynolds, David	07CV3446
67	Rhoden, Marcel	07CV05311
68	Riera, Maximo	07CV1519
69	Rodas, Patricio	07CV01694

	Rojas, Jaime	07CV4511
70		
71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
78	Siguencia, Raul	07CV1533
79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
82	Tenezaca, Julia	07CV1714
83	Teran, Cesareo	07CV05389
84	Thorpe, Jeanne	07CV1715
85	Vasquez, Rommel	07CV1543
86	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125